

OFFICE OF SPECIAL MASTERS

No. 07-835V

Filed: January 7, 2009

DO NOT PUBLISH

JOSHUA BECKNER,)	
personal representative of the estate of his brother,)	
JOEL BECKNER,)	Attorneys' Fees and Costs
)	
Petitioner,)	
)	
v.)	
)	
SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	
)	

ATTORNEYS' FEES AND COSTS DECISION¹

GOLKIEWICZ, Chief Special Master.

Petitioner filed petitioner's Petition for Award of Attorney Fees and Costs (hereinafter "fee petition") on October 29, 2008. In the fee petition, petitioner's counsel requested an award of attorney fee and costs in the amount of \$11,785.58, which represents \$11,342.00 in fees and \$443.58 in costs. Respondent's counsel contacted the undersigned's chambers and represented that respondent does not object to attorneys' fees and costs totaling \$11,785.58.

After reviewing the request, the court finds a total award in the amount of \$11,785.58, which represents \$11,342.00 in fees and \$443.58 in costs, to be reasonable. Petitioner's counsel represents that petitioner has not incurred any costs. Accordingly, pursuant to Vaccine Rule 13, petitioner is

¹The undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.

awarded a total of **\$11,785.58 in attorney's fees and costs**, all of which shall be made payable jointly to petitioner and his attorney.²

The court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment according to this decision.³

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

²This amount is intended to cover all legal expenses. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, 42 U.S.C.A. §300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) which would be in addition to the amount awarded herein. See generally, Beck v. Secretary of HHS, 924 F.2d 1029 (Fed. Cir. 1991).

³Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.